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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,240	12/03/2003	Jose Abad Peiro	200313161-1	4907

22879 7590 05/01/2007
HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

MAIL DATE	DELIVERY MODE
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05/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/727,240

Applicant(s)

PEIRO ET AL.

Examiner

Tran A. Quoc

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 April 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-28 and 32-34.
Claim(s) withdrawn from consideration: 29-31.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

H. Herndon
Heather R. Herndon
Supervisory Patent Examiner
Technology Center 2100

Quoc A. Tran
Patent Examiner
April 30, 2007

u/30/07

Continuation of 11. does NOT place the application in condition for allowance because: to address applicant Remarks filed After final Office Action dated 04-09-2007, which are accordingly addressed below.

Applicant argues that the combination Gebert, PODI, and deBronkart fail to teach PPML to PDF translation (the remarks pages 15-16). The examiner disagrees, in the broadest reasonable interpretation, Examiner equates generating a PDF document from a PPML document as equivalent to generating a PDF document from an XML document, because PPML is an XML-based language for variable-data printing (see Applicant's specification section, page 1, para 2), thus generating a PDF document from an PPML document is interpreted as requiring the same functionalities as generating a PDF from XML, and the claimed PDF document tree as equivalent to a PDF format including formatting object into DOM documents to access elements of the result tree in the DOM as taught by Gebert.

Also, PODi discloses PPML is based on XML, the Extensible Markup Language, which has quickly become the universal syntax for data exchange (PODi page 1 Overview Section). Also, PODi discloses PPML is a simple, human-readable language that describes a document stream as a hierarchy of structured data. This example shows the basic structure of a PPML print stream that might be emitted by a PPML print driver or a PPML-enabled Web application, wherein each "Mark" element contains (or references) page content in any print language supported by the machine: PostScript, PDF, SVG, image formats such as JPEG, etc. This open, flexible architecture lets PPML be adapted to any sort of print environment, wherever vendors and users see an opportunity

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<PPML...>...
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    <DOCUMENT...>...
      <PAGE...>...
        <MARK...>...</MARK>
        <MARK...>...</MARK>
      </PAGE>
    <PAGE...>...</PAGE>
  ...
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<DOCUMENT...>
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And Furthermore, Hardy discloses a method of mapping and displaying structural transformation between XML and PDF (Hardy the Title), wherein it loads the XML file is loaded into a Document Object Model (DOM) parser. The DOM is a model for representing serialized XML trees as true trees. The plug-in creates a dialogue containing two tree-views. The left tree-view contains a representation of the PDF's internal structure tree, taken from the DOM and the right tree-view shows the structure and content of the XML starting document. Selecting a specific node in either tree gives access to the corresponding content in the opposite document (Hardy section 4.1, also fig. 1, fig. 4).